HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23285 of 2006

Dated:29.11.2006

Between:

E.Shyam Prasad.

…Petitioner

and

The Govt.of A.P., and others.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23285 of 2006

ORDER:

The petitioner herein filed instant Writ Petition seeking a writ of mandamus declaring the action of the third respondent in seeking to forcibly evict the petitioner from Plot No.28 in Survey No.242/5 situated at Abdullapur Village of Hayat Nagar Mandal in Ranga Reddy District, as arbitrary and illegal.

It is the case of the petitioner that the land admeasuring Acs.2.00 was assigned to one G.S.R.Murthy, who had served Indian Air Force. He was also granted pattadar passbooks and title deeds. G.S.R.Murthy obtained permission from the Government as per the orders in G.O.Ms.No.1117, dated 11.11.1993, and executed a General Power of Attorney in favour of one B.Sudheer Kumar, who laid out plots and sold to third parties. The petitioner purchased Plot No.28 admeasuring 200 square yards under registered sale deed dated 29.06.1998. The third respondent issued notice dated 18.08.2006 requesting the petitioner to produce the necessary documents before him. The petitioner immediately submitted explanation on 24.08.2006. The matter is still under consideration. In the meanwhile, it is alleged that the third

respondent is trying to forcibly evict the petitioner. Hence the present Writ Petition.

Learned Assistant Government Pleader for Revenue (Assignment), after obtaining instructions, submits that out of the total extent of Acs.66.06 guntas of land in Survey No.242, Acs.10.00 is allotted to the Government Polytechnic College, and the remaining extent was assigned to landless poor persons. The Mandal Revenue Officer only asked the petitioner to produce the documents for conducting enquiry as per the instructions of the Joint Collector and that the Mandal Revenue Officer never interfered or never attempted to forcibly evict the petitioner. The same is recorded.

The Mandal Revenue Officer is directed to dispose of the matter, after considering the various documents produced by the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition, with the above observations and directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

29.11.2006
vs